

Mitsuhiko Higashi, Masamitsu TANAKA  
Applicant or Patentee: and Kenji EKAWA

Attorney's  
Docket No.: 1155-0198P

SF643

Serial or Patent No. 10/774,753

Filed or Issued: May 26, 2000

For: ORTHOALKYLATION CATALYST FOR PHENOL AND PROCESS FOR PRODUCING ORTHOALKYLATED PHENOL WITH USE THEREOF

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) — SMALL BUSINESS CONCERN

I hereby declare that I am

- the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN HONSHU CHEMICAL INDUSTRY CO., LTD.

ADDRESS OF CONCERN 1-1, Kyobashi 1-chome, Chuo-ku, Tokyo 104-0031, Japan

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled ORTHOALKYLATION CATALYST FOR PHENOL AND PROCESS FOR PRODUCING ORTHOALKYLATED PHENOL by inventor(s) WITH USE THEREOF Mitsuhiko HIGASHI, Masamitsu TANAKA and Kenji EKAWA described in

- the specification filed herewith  
 application serial no. PCT/JP99/05273, filed September 28, 1999.  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Toshihiko TAKENO

TITLE OF PERSON OTHER THAN OWNER Executive Managing Director

ADDRESS OF PERSON SIGNING c/o HONSHU CHEMICAL INDUSTRY CO., LTD., 1-1, Kyobashi 1-chome, Chuo-ku, Tokyo 104-0031, Japan

SIGNATURE Toshihiko TAKENO DATE May 1, 2000

# BIRCH STEWART, KOLASCH & BURCH, LLP

**PLEASE NOTE:**  
**YOU MUST**  
**COMPLETE THE**  
**FOLLOWING:**

**COMBINED DECLARATION AND POWER OF ATTORNEY**

# **FOR PATENT AND DESIGN APPLICATIONS**

ATTORNEY DOCKET NO.  
1155-0198P

## Insert Title:

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor ( if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Fill in Appropriate  
Information -  
For Use Without  
Specification  
Attached:**

the specification of which is attached hereto. If not attached hereto,  
the specification was filed on \_\_\_\_\_ as  
United States Application Number \_\_\_\_\_; and /or  
the specification was filed on September 28, 1999 as PCT  
International Application Number PCT/JP99/05273; and was  
amended under PCT Article 19 on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Insert Priority  
Information:  
(if appropriate)**

Prior Foreign Application(s) 273160/1998		Japan (Number)	September 28, 1998 (Month/Day/Year Filed)	Priority Claimed
		(Country)		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		(Number)	(Country)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		(Number)	(Country)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		(Number)	(Country)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		(Number)	(Country)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		(Number)	(Country)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Insert Provisional  
Application(s):  
(if any)**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

**Insert Requested  
Information:  
(if appropriate)**

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More Than 12 Months (6 Months for Designs) Prior To The Filing Date of This Application:

**Insert Prior U.S.  
Application(s):  
(if any)**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

(16)

Terrell C. Birch	(Reg. No. 19,382)	Raymond C. Stewart	(Reg. No. 21,066)
Joseph A. Kolasch	(Reg. No. 22,463)	James M. Slattery	(Reg. No. 28,380)
Bernard L. Sweeney	(Reg. No. 24,448)	Michael K. Mutter	(Reg. No. 29,680)
Charles Gorenstein	(Reg. No. 29,271)	Gerald M. Murphy, Jr.	(Reg. No. 28,977)
Leonard R. Svensson	(Reg. No. 30,330)	Terry L. Clark	(Reg. No. 32,644)
Andrew D. Meikle	(Reg. No. 32,868)	Marc S. Weiner	(Reg. No. 32,181)
Joe McKinney Muncy	(Reg. No. 32,334)	Andrew F. Reish	(Reg. No. 33,443)
C. Joseph Faraci	(Reg. No. 32,350)	Donald J. Daley	(Reg. No. 34,313)

Send Correspondence to:

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PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-~~00~~  
Full Name of First or Sole Inventor:  
Insert Name of Inventor  
Insert Date This Document is Signed

Insert Residence  
Insert Citizenship

Insert Post Office Address  
2-~~00~~  
Full Name of Second Inventor, if any:

see above

Full Name of Third Inventor, if any  
see above

Full Name of Fourth Inventor, if any  
see above

Full Name of Fifth Inventor, if any  
see above

GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Mitsuhiko	HIGASHI	Mitsuhiko Higashi	May 1, 2000
Residence (City, State & Country)		CITIZENSHIP	
Wakayama-shi, Wakayama, Japan JPX		Japanese	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) c/o HONSHU CHEMICAL INDUSTRY CO., LTD. Research Center, 5-115, Kozaika 2-chome, Wakayama-shi, Wakayama 641-0007, Japan			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Masamitsu	TANAKA	Masamitsu Tanaka	May 1, 2000
Residence (City, State & Country)		CITIZENSHIP	
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Kenji	EKAWA	Kenji Ekawa	May 1, 2000
Residence (City, State & Country)		CITIZENSHIP	
Wakayama-shi, Wakayama, Japan JPX		Japanese	
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			

\* DATE OF SIGNATURE